



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

19 MAY 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6125 8737

Mr. Sean Daugherty  
Safety Coordinator  
Innovative Injection Technologies  
2360 Grand Avenue  
West Des Moines, Iowa 50265

RE: Innovative Injection Technologies  
West Des Moines, Iowa  
RCRA ID No.: IAD051668945

Dear Mr. Daugherty:

Second Letter of Warning/Request for Information

On September 18, 2014, representatives of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report, your September 25, 2014, response to the Notice of Preliminary Findings (NOPF), and your January 30, 2015, response to the EPA's January 15, 2015, Letter of Warning/Request for Information and determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



Printed on Recycled Paper

Within thirty (30) calendar days of receiving this letter, please mail your response to: Ms. Deborah Bredehoft, AWMD/WEMM, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Bredehoft, of my staff, at (913) 551-7164.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Toensing', is written over the printed name.

Donald Toensing,  
Chief

Waste Enforcement and Materials Management  
Branch  
Air and Waste Management Division

Enclosures (3)

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section  
Iowa Department of Natural Resources

List of Violations  
Innovative Injection Technologies  
West Des Moines, Iowa  
RCRA ID No.: IAD051668945

1. Title 40 Code of Federal Regulations (40 CFR) 262.11 – Failure to make a hazardous waste determination on the following:
  - a. potentially Barsol D-149 contaminated materials:
    - i. \*floor dry;
    - ii. absorbent socks;
    - iii. mop water and used oil sludge;
    - iv. cloth work gloves;
  - b. \* leftover water treatment chemicals;
  - c. cloth rags contaminated with solvent; and
  - d. disposable wipes contaminated with solvent.
  
2. \* 40 CFR 279.22 – Failure to label an approximately ½ full, shallow, open yellow plastic container used to collect used hydraulic oil leaking from hoses that were connected to the injection molding machine with the words “Used Oil.”

\*The above-listed violation was adequately addressed through previous correspondence.

Requested Information  
Innovative Injection Technologies  
West Des Moines, Iowa  
RCRA ID No.: IAD051668945

1. With regard to Violation Numbers 1.a.ii. through 1.a.iii., please provide the following information:
  - a. the amount of Barsol 149-D that was released onto the floor in the normal course of work (i.e., overspray, spills, etc.); and
  - b. a narrative and timeline describing the process that the Technicians used with application of Barsol 149-D on the molds and tools.
2. With regard to Violation Number 1.a.iv., you stated that the Technicians use the cloth gloves to handle warm parts and to keep skin oils off of the parts and that the Mold Setters use the cloth gloves to keep the tools clean and free of excess grease and dirt. Please provide a narrative and timeline outlining where in the process the Technicians and Mold Setters complete the types of work that involve cloth gloves.
3. With regard to Violation Number 1.b., the EPA is aware that the PCT-100 was removed from your facility by the vendor. Please note that although these two chemicals were not determined to be hazardous wastes, they were potentially incompatible. The PCT-100 is a strong base and the Dynamic Descaler is a strong acid. No further action on your part is required in response to this violation.
4. With regard to Violation Numbers 1.c. and 1.d., the material safety data sheet (MSDS) for the Barsol D-149 solvent was collected during the EPA's inspection. The MSDS indicated that the Barsol D-149 contained 43.1% toluene. An F005 hazardous waste is a solvent that was used for its solvent purpose which contains, before use, ten percent, or greater of specified solvents (one of which includes toluene). Unlike a characteristic hazardous waste, which can lose its hazardous waste designation if the waste de-characterized, the majority of the listed hazardous wastes remain hazardous wastes, even if they become de-characterized. Therefore, when a rag or wipe is used with a listed solvent, the resulting solvent-contaminated rag or wipe is a hazardous waste. Please complete a hazardous waste determination on the formerly generated Barsol 149-D solvent contaminated rags and wipes. A hazardous waste determination is completed by providing the following information:
  - a. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
  - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
  - c. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**

- d. If your facility elects to apply knowledge to make a waste determination on the Barsol 149-D contaminated rags and wipes, you must provide a detailed explanation and your reasoning regarding the basis for this determination. MSDS may provide information to supplement your response. **Also, if you apply knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**

5. Within your September 25, 2014, NOPF response, you provided a spreadsheet print out with "Jebro Incorporated Bills of Lading" at the top. Regarding this spreadsheet, please outline the reason that this information was provided to the EPA.

### 3007 RESPONSE INSTRUCTIONS

- \* Identify the Person(s) responding to this request on your behalf.
- \* Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- \* For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- \* For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- \* For each numbered item, identify all persons consulted in the preparation of the answer.
- \* For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- \* If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- \* If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- \* If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- \* You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- \* The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- \* A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- \* Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at [www.epa.gov/epahome/cfr40.htm](http://www.epa.gov/epahome/cfr40.htm).
- \* This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- \* The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.